

amnesty international

AFGHANISTAN

UNLAWFUL KILLINGS AND TORTURE

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SUMMARY

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On 14 April 1988 parties to the Geneva talks on Afghanistan signed agreements which provide for the beginning of a withdrawal of Soviet forces from Afghanistan on 15 May. The negotiations had been going on since 1982.

Throughout this period Amnesty International has been concerned about reports of torture and unlawful killings by Afghan and Soviet forces. This paper focuses on such human rights violations during 1987 and 1988.

The negotiated withdrawal of Soviet troops from Afghanistan, if implemented, would reinforce the responsibility of the authorities in Kabul to make every effort to investigate past incidents of unlawful killings and torture and to bring to justice those involved in these incidents in order to curb the future occurrence of such illegal acts. Amnesty International has written to the Afghan and Soviet authorities spelling out these issues.

Amnesty International is also concerned that the observance of human rights during periods of political change or uncertainty requires particular attention by the international community.

Amnesty International's concerns in Afghanistan centre on evidence that clearly helpless civilians identified as belonging to certain groups - notably those travelling as refugees - are routinely seized and summarily executed or otherwise attacked and deliberately killed in violation of national and international law.

Amnesty International has compiled evidence of what appears to be a policy of deliberate killings by Soviet and Afghan Government forces of Afghan refugees found travelling toward Pakistan. Many of these killings were extrajudicial executions: the victims were deliberately killed while obviously helpless after having been identified as refugees. Evidence of the deliberate killing of refugees during 1987 includes testimonies given to Amnesty International by survivors and witnesses of assaults on columns of unarmed refugees.

Testimonies have also provided evidence of widespread extrajudicial executions of civilians in apparent reprisal for the actions of armed opposition groups; the continuing practice of torture; and the forcing into

military service of political prisoners after a general amnesty. Amnesty International was concerned that the involuntary transfer of political prisoners into the custody of the armed forces was similar to continued political imprisonment. Testimonies from more than one source were received corroborating many of these incidents.

Amnesty International uses the term extrajudicial execution to describe unlawful and deliberate killings carried out by governments or with their acquiescence. In armed conflicts, extrajudicial executions are distinguished from killings that occur as a direct consequence of clashes between contending parties - such as the killing of civilians during attacks on positions defended by warring parties - and from killings by accident or error.

The reported extrajudicial executions of refugees and the drafting of "released" prisoners occurred in the context of the government's policy of National Reconciliation announced on 1 January 1987. The government had proclaimed under the National Reconciliation policy that it wanted Afghan refugees already abroad to come home. As for those taken directly into military service from prison, it was officially announced that they were "released" under an amnesty declared as an integral part of the National Reconciliation policy.

This summarizes a nine-page document, Afghanistan: Unlawful Killings and Torture, AI Index:ASA/11/02/88, issued by Amnesty International in May 1988. Anyone wanting further details or to take action on this issue should consult the full document.

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AFGHANISTAN - UNLAWFUL KILLINGS AND TORTURE

Background

On 1 January 1987, Dr Najibullah, the General Secretary of the ruling People's Democratic Party of Afghanistan (PDPA) and now also the country's President, announced a policy of National Reconciliation. He listed six principles of reconciliation - a cease-fire for six months, an end to armed struggle in order to resolve political differences, just representation in the political structure and economic life of Afghanistan of political groups other than the PDPA, a general amnesty, protection and consolidation of historical, national and cultural traditions, and respect and observance of the sacred religion of Islam. This policy was announced with the full official backing of the Soviet Union.

The Reconciliation policy was rejected by the armed opposition which said it was aimed at allowing the Soviet Union to remain in Afghanistan while getting the opposition to disarm. The armed conflict in Afghanistan intensified during 1987, particularly in the northern part of the country and in the south-eastern province of Kandahar. Unarmed civilians continued to be victims of the war. The UN Special Rapporteur on Afghanistan estimated that there were just over 14,000 civilian casualties between the end of 1986 and August 1987. As a result of the escalating conflict, the refugee influx into Pakistan continued. In August 1987, according to the official Pakistani registration lists, there were 3,156,569 Afghan refugees in the country. The UNHCR estimated that there were 2.2 million Afghan refugees in Iran. Afghans formed the largest refugee group in the world.

In this situation of political polarisation and armed conflict, it was difficult to confirm and corroborate testimony on human rights violations within Afghanistan; most information came from refugees who had fled from the conflict. Amnesty International interviewed refugees in Pakistan and India during October to December 1987. The testimony was taken from the victims and witnesses of human rights violations. This paper limits itself to cases on which first-hand information could be gathered from victims and witnesses. Due to a continuing sense of personal insecurity and political uncertainty, most informants did not wish to be named.

Amnesty International is concerned about evidence of a policy of deliberate killings by Soviet and Afghan government forces during 1987 of Afghan refugees moving towards Pakistan. This targeting of refugees has been described in the testimonies of survivors and witnesses of such attacks. Amnesty International is equally concerned about the deliberate killing of unarmed civilians in reprisal for attacks by armed opposition groups. It is further concerned about continuing torture in KHAD security police interrogation centres, military posts and in the Pul-e-Charkhi central prison in Kabul; and about political prisoners who were taken directly from prison into military service.

Conscription of political prisoners

As part of its policy of National Reconciliation, the government announced a general amnesty on 25 January 1987. According to government figures, over 7,000 political prisoners were released between January and July 1987 and at least another 3,000 were said to have been released by the end of the year. These figures have not been confirmed by any independent source and the government has not replied to repeated requests by Amnesty International seeking names and other details of those said to have been released. However, Amnesty International's information indicates that thousands of prisoners were released during the year. Most of them were, however, between the ages of 18 and 40 and therefore liable for military service. They were released under Decree No 37, dated 26 April 1987, of the Presidium of the Revolutionary Council which declares that the prison terms of "prisoners who are eligible for service in the armed forces should be remitted". Amnesty International has interviewed at least 15 men of military age who were released under the 25 January amnesty and 26 April Decree and taken straight from the gates of Pul-e-Charkhi prison to a military barracks, depot or unit. They have informed us that hundreds of prisoners released with them were also taken straight from Pul-e-Charkhi to a military facility. We understand that in many cases those released in this way were told that the remaining part of their prison sentence was to be spent in military service. Many have subsequently fled to Pakistan. Amnesty International believes that the direct involuntary transfer of political detainees from prisons into military service constitutes a punitive practice similar to continued imprisonment.

At the end of May 1987, a student teacher, aged 21, from Kabul, travelling with 20 other refugees towards the Pakistan border, said he found the bullet-ridden bodies of about 130 persons whom he believed were refugees using a known refugee trail leading towards Pakistan. The condition of the bodies indicated that the killings had taken place the day before. The bodies were found in the Yakpaaya valley of Charkh district of Logar province, near the Pakistan frontier.

Most of the reported cases of killing of refugees attempting to leave the country occurred in 1987, after the announcement of the National Reconciliation policy in January that year. Amnesty International has, however, received some reports of unlawful killings of refugees in 1986. According to an eye-witness, one group of refugees was attacked on 15 November 1986. He said that 14 people, including two women and a child, were killed and five people were wounded when a Toyota mini-bus carrying 35 passengers towards the border, 60 kilometres away, was attacked without provocation on a road in Fikiran sub-district, about five kilometres from Fargonshahr town in Paktika province. Survivors said they heard the attackers shouting in Russian during the ambush. There had been no recent fighting in the area but Soviet troops had been discouraging movement close to the border.

The killing of refugees trying to go abroad has been accompanied by attempts to encourage refugees who are already abroad to return home, in line with one of the stated goals of the National Reconciliation policy. At times, the attempts at persuasion have been accompanied by arrests. According to his nephew, a 67-year-old man in Kabul was arrested in March after he rejected police officers' requests to write to his step-brother in the United States to return to Afghanistan. The man told the police officers that he was not on good terms with his step-brother and therefore he could not persuade him to return. He was then arrested and at the end of 1987 he was believed to be still detained.

Public criticism of the National Reconciliation policy has also reportedly led to detention. A cloth merchant, aged 40, from Kabul is reported to have objected to a call for national reconciliation made in a speech by an official of the ruling People's Democratic Party of Afghanistan (PDPA) after prayers at a central mosque in Kabul on the occasion of the holy Muslim festival of Id-é-Khorban (also known as Id-al-Adha) on 5 August. The cloth merchant asked the party official how there could be national reconciliation while Soviet soldiers remained in Afghanistan. On the fourth day after the Id-é-Khorban festival, KHAO agents in a jeep came to his house and took him to their Sedarat interrogation centre. A few days later he was shifted to Pul-é-Charkhi and was reported to be still in detention at the end of 1987.

Other reported extrajudicial executions

There were also reports of alleged summary extrajudicial executions of Afghan civilians who remained in their homes despite the war. An eye-witness recently reported an incident which had taken place a year earlier, on 13 October 1986. He saw six tanks and some military vehicles entering Chardee village, two kilometres from Sharan town, the capital of Paktika province. The witness was in Amberkheil, a neighbouring hamlet, from which the houses and streets of Chardee are clearly visible. The Afghan soldiers from the convoy, directed by Soviet advisers, ordered everyone to stay in their houses. They searched each and every house. They found no guerrillas and no arms. They seized two men from their homes, one of whom was a known sympathiser of the resistance while the other was the son of a sympathiser.

They marched the two men to the wall of the little local fort behind the village and shot them. One of the executed men was Abdul Majid, 60. The other man to die was aged 30. His name cannot be divulged as his father still lives in Chardee.

Similar killings continued in 1987. A 32-year-old former official of the Information Department of the Ministry of Frontier and Tribes, now the Ministry of Nationalities and Tribal Affairs, reported that 17 civilians, all males aged from 14 to 60, were killed by government troops in August 1987 at Mushwani village in the Mir Bacha Kot district of Kabul province. They were said to have been killed with grenades after which their bodies were dumped in a well, apparently in reprisal for the killing of some government troops by guerrillas in an earlier incident near the village.

Two Norwegian nurses and an Afghan paramedic who had been working in Ghazni province for some months in 1987, separately confirmed that they had met and examined a man who had survived despite having suffered over a dozen bullet wounds during a reportedly unprovoked attack by Soviet soldiers on a civilian bus in March 1987. According to their account, there were 45 men, women and children in the bus, of whom only three survived. Two of those who survived had managed to run away while the man with multiple wounds had successfully feigned death, although he claimed the Soviet soldiers had checked other victims after their initial attack and shot dead those who were discovered to be still alive.

A peasant, aged 50, related another incident of apparent reprisal killings of civilians in his village of Sabzak in the Nareen sub-district of Baghlan province on 6 September 1987. Artillery shelled the village without any immediate provocation and eight persons were killed, including the peasant's daughter, Bibi, aged eight, and his brother, Mohammed Hasan, aged 60. The other villagers killed were two women - Gulbegum, 20, and Zeba, 30 - and four children. Two of the children were Daulat, four, and Amir Khan, four. The names of the other two children are not known. Sabzak village had earlier sheltered guerrillas of the armed opposition but there was reportedly no fighting in or near the village and no guerrilla presence when the village was shelled. The assault appeared to be purely punitive in nature, in accord with the principle of collective responsibility for guerrilla actions in and around the community.

On 10 October 1987, Soviet forces reportedly set fire to a vehicle carrying 29 unarmed civilians, most of them women, children and old men, apparently after stopping it in a narrow gorge between Dadu and Khoshi in Logar province. All those in the vehicle died. The Soviet attack may have been a reprisal for a guerrilla ambush the day before in the same gorge in which 17 Soviet soldiers had been killed. A second source corroborated this version of the incident.

The director of a hospital for Afghan women and children in Quetta, Pakistan, confirmed that the hospital often receives and carries out surgical operations on women and children to remove bullets lodged in their bodies. For instance, according to the hospital's surgical records, a bullet was removed from the sacral region of the spine of a woman, Khandi Gul, on 29 November 1987, which she said had been fired at her about a year before when the bus she was travelling in was attacked without provocation by government forces in Ghazni province.

On 16 January 1988, 12 men belonging to the armed opposition were taken prisoner in Kolalgu village of Paktia province by a mixed group of Soviet and Afghan Government troops. According to testimony provided to a representative of Amnesty International by two of the prisoners who

survived, the 12 men were marched into the village mosque and their hands were tied behind their backs by the Soviet and Afghan soldiers. Rockets, mortar shells and ammunition were brought into the mosque by the soldiers and piled up next to the prisoners. A detonator operated by a cable leading into the mosque was then used to blow up the mosque and the prisoners within it. Three prisoners survived the blast while nine were killed. One of the survivors was seriously injured with fractures in both his legs. The other two got away with relatively minor injuries and recounted this incident after escaping into Pakistan. The explosion in the mosque also caused the death of seven children when an adjacent house collapsed on them. The testimony of the two prisoners was corroborated by several other persons from Kolalgu who had witnessed the incident.

Torture

Amnesty International has interviewed a number of Afghans who described having been tortured during 1987. These testimonies indicate that torture continues in Afghanistan, although the available information suggests torture may not be as systematic and as routine a form of interrogation as it was till early 1986. However, the extent and frequency of recent torture cannot yet be assessed because many of those detained by government agencies in 1987 have not yet had the opportunity to disclose their experiences under detention. Those who have been able to relate their detention experiences were held for short periods or managed to escape from security police or military detention centres. Others described having been tortured shortly before their release from Pul-e-Charkhi prison in Kabul.

One of those detained for a short period was a woman of 36 who was formerly a stock-keeper at a government pharmacy in Kabul. She was arrested along with her 14-year-old daughter on the night of 29 July at a village near Jalalabad town while trying to get to Pakistan. The owner of the house where she was staying was also detained. They were taken to a Jalalabad detention centre which seemed to be under the control of the KHAD security police (KHAD has been renamed as WAD - Wajarat-e-Aamniyat-e-Daulati, Ministry of State Security, but is still generally known as KHAD).

The woman says she was verbally abused, beaten and given electric shocks with wires attached to her ears and feet. Then the interrogators, whom she was able to identify by name, sat on her feet and sharply banged her knees together. The torture took place during the first two days of her detention while she was kept in a small cell. She could not lie down in the cell because the floor was strewn with sharp pebbles and stones. She was not taken to the toilet. A bucket in the tiny cell served as a toilet and attracted hordes of mosquitoes. Her daughter was reportedly severely beaten and was not allowed to see her mother during the two days at the detention centre.

After two days of interrogation, she said she and her daughter were transferred to the Jalalabad prison where she was kept for 20 days before being released. In the prison, she was kept in a room with 40 women and their small children. All but 10 of the women were in prison in connection with allegations either of trying to go to Pakistan or helping the resistance. The prison authorities did not provide any food. A friendly guard smuggled in one piece of bread a day for her. Other prisoners had to bribe the guards to get something to eat. Water was provided in dirty buckets. There were no toilet facilities. The prisoners had to use a half-demolished room as a toilet. Her ordeal at the detention centre and at Jalalabad prison has caused severe psychological problems and she has been undergoing treatment at a psychiatric clinic in Pakistan after having

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managed to cross the border on her second attempt.

A young guerrilla fighter, aged 18, was captured in action by Soviet troops near Nani village in Ghazni province in May 1987. He was in possession of a rocket-launcher when captured. He said he was taken to the local Soviet military headquarters at Eanote village where he was beaten with sticks. He was then confined to a basement for 15 days and beaten on four occasions.

From the basement at the Soviet headquarters he said he was removed to the KHAD interrogation centre in Ghazni town and questioned about the identity of his accomplices in the armed opposition and weapons' sources. During his first week at the KHAD centre, he was beaten every day. During his second week, he was given electric shocks three times with wires tied to his tongue, ears, fingers and toes by KHAD agents. He said that during the interrogation-and-torture sessions, two Soviet officers took notes of his replies to questions and, on one occasion, they attached the wires for shock treatment.

After two-and-a-half months at the KHAD centre, he was being taken to the main prison in Ghazni when he escaped with the help of the opposition. He was brought to Pakistan for medical treatment. He was still suffering from severe pain on the left side of his stomach due to the beatings and shocks when interviewed by Amnesty International at a medical centre in Peshawar. He was also unable to sleep and was in a chronic state of fear.

An 18-year-old student of Persian literature at Kabul University died on 20 April 1987, apparently as a result of torture at the KHAD detention centre at Shashdarak in Kabul. He was arrested at his family's home by KHAD agents on 1 April in the presence of his parents, sister and three brothers. According to one of the brothers, who later came to India as a refugee, the KHAD agents said that they were arresting the student for "anti-revolutionary activity". The brother claims that the young man was never involved in violence, though he did distribute opposition pamphlets, locally called shabnameh. He was in perfect health when arrested. After several weeks of fruitless inquiries about his fate, friends of the family suggested that they should make further inquiries at the Four-Hundred-Bed Army Hospital in Kabul where detainees injured during interrogation are often taken. The family discovered his name on the list of dead posted at the hospital. The list stated that he had died on 20 April. It did not state the cause of death. His body was not returned to the family. As the rest of his family are still living in Kabul, the brother in India does not wish to make public the name of his dead brother.

Another student, aged 21, who was also taken to the Four-Hundred-Bed Army Hospital in Kabul after being injured during interrogation, later gave the following account. He had gone to the village of Pashae, on the outskirts of Kabul, on 5 May 1987 for the mourning ceremony of his brother, a guerrilla of the Jamiat-e-Islami opposition group who had been killed in action during a battle with government troops on 18 April in the same village. Sporadic fighting had continued around Pashae and on 8 May government forces fired at the village with a multiple rocket launcher. In the attack, the visiting student was injured on his head, back and nose, and lapsed into a semi-conscious state. Soon after, the troops entered the village and rounded up all males between the ages of 16 and 50. They were then transported to the Shashdarak centre of the KHAD in Kabul. He was still bleeding from his injuries when he was tied to a chair and questioned about his connections with the armed opposition. During the questioning, the middle three fingers of his right hand were branded with a hot iron. After 48 hours at Shashdarak, he was moved to the Four-Hundred-

Bed Army Hospital. Eight days later he escaped from the hospital with the help of a cousin who was a guard there. Scars on the upper surface of the three fingers of his right hand were still visible when he was interviewed in India.

Beatings and physical abuse during 1987 have also been reported to Amnesty International by ex-prisoners who were held in the Pul-é-Charkhi central prison in Kabul. Often the beatings and ill-treatment were administered by prison warders for minor transgressions like reading a religious book or demanding the right to collective prayer as is prescribed in the Islamic code. At other times, ill-treatment followed what were regarded as more serious offences such as distributing mujahideen (armed opposition) literature among prisoners. Some of those who were about to be released and taken straight into military service were reportedly beaten for refusing to appear on television to praise the government's policy of National Reconciliation. Other prisoners were kept in isolation for a week for refusing to sign a statement in favour of the National Reconciliation policy. One prisoner alleged that in April 1987 he was so severely beaten for refusing to spy on fellow prisoners that one of his ribs was fractured. A group of 23 prisoners were kept in isolation in March 1987 for attempting to inform a foreign visitor about prison conditions. Some prisoners were beaten just before they were released and taken straight into military service in an apparent effort to intimidate them and thereby prevent them from engaging in any anti-government activity.

Among those physically ill-treated at Pul-é-Charkhi was an engineer who later told Amnesty International that he was repeatedly requested to appear on television and testify in favour of the government but had refused. One morning in June 1987, prison officials took him to a room and said that they wanted to discuss his forthcoming interview on television. He refused to discuss the matter. The prison officials reportedly started beating him, pulled his hair and then dragged him into a bathroom where they pushed his head into a toilet bowl. They kept him in the bathroom all morning. In the afternoon they transferred him from prison straight to a military barracks to serve in the army.

A former car mechanic, who was imprisoned at Pul-é-Charkhi for seven years and was transferred to do military service on 27 May 1987, said that earlier in the same month he was severely punished for distributing the Koran and religious and resistance literature among the prisoners. He had also been exhorting prisoners to support the resistance. Informers inside the prison reported his activities. He was taken to an isolated room and beaten till he became unconscious. His beard was pulled and his face was pushed into a toilet bowl. He was then removed to a punishment cell for 11 days and given no food or drink for three days.

Another prisoner reported that in March 1987 he was severely beaten and made to stand under a cold shower by a prison warder for reading a religious book. About a month later, he was beaten and kicked so severely in the chest that he was still coughing up blood in November when Amnesty International interviewed him in Pakistan. He had been given this second beating by three prison guards, one of whom he named, for asking why he was not being given his full helping of food in the prison canteen. He was transferred to do military service on 13 July and subsequently fled the country. He said he knew of two children who were gravely injured in Pul-é-Charkhi due to ill-treatment, one of whom was kicked in the stomach.

Conscription of political prisoners

As part of its policy of National Reconciliation, the government announced a general amnesty on 25 January 1987. According to government figures, over 7,000 political prisoners were released between January and July 1987 and at least another 3,000 were said to have been released by the end of the year. These figures have not been confirmed by any independent source and the government has not replied to repeated requests by Amnesty International seeking names and other details of those said to have been released. However, Amnesty International's information indicates that thousands of prisoners were released during the year. Most of them were, however, between the ages of 18 and 40 and therefore liable for military service. They were released under Decree No 37, dated 26 April 1987, of the Presidium of the Revolutionary Council which declares that the prison terms of "prisoners who are eligible for service in the armed forces should be remitted". Amnesty International has interviewed at least 15 men of military age who were released under the 25 January amnesty and 26 April Decree and taken straight from the gates of Pul-e-Charkhi prison to a military barracks, depot or unit. They have informed us that hundreds of prisoners released with them were also taken straight from Pul-e-Charkhi to a military facility. We understand that in many cases those released in this way were told that the remaining part of their prison sentence was to be spent in military service. Many have subsequently fled to Pakistan. Amnesty International believes that the direct involuntary transfer of political detainees from prisons into military service constitutes a punitive practice similar to continued imprisonment.